

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

| | | |
|--------------------------|---|--------------------------------|
| UNITED STATES OF AMERICA |) | |
| |) | |
| v. |) | Criminal No. 21-MJ-1011-DLC |
| |) | |
| GANG CHEN |) | ORAL ARGUMENT REQUESTED |
| |) | |
| |) | |
| Defendant. |) | |
| |) | |

PROFESSOR GANG CHEN’S MOTION FOR A BILL OF PARTICULARS

Pursuant to Federal Rule of Criminal Procedure 7(f), Professor Chen hereby respectfully moves for an order requiring the government to furnish him a bill of particulars that provides the following information:

1. What other “matters” or “things” the Government intends to prove at trial were material omissions from the grant application in question, Indictment at ¶ 6;
2. What materially false statements the Government believes were included in the application; and
3. For the seven omissions listed in the indictment, identify whether a duty to disclose arose from Appendix 1, Appendix 2, or somewhere else.

For the reasons outlined in Professor Chen’s accompanying memorandum of law, such a bill of particulars is consistent with prior precedent and would not prejudice the Government.

Respectfully submitted,

GANG CHEN

By his attorneys,

/s/ Robert A. Fisher

Robert A. Fisher (BBO No. 652602)

Brian T. Kelly (BBO No. 549566)

R. Scott Seitz (BBO No. 696658)

Brianna A. Nassif (BBO No. 698715)

NIXON PEABODY LLP

53 State Street

Boston, MA 02109

617-345-1000

bkelly@nixonpeabody.com

rfisher@nixonpeabody.com

sseitz@nixonpeabody.com

bnassif@nixonpeabody.com

Dated: July 15, 2021

CERTIFICATE OF SERVICE

I hereby certify that this brief was filed electronically on July 15, 2021, and thereby delivered by electronic means to all registered participants as identified on the Notice of Electronic Filing.

/s/ Robert A. Fisher

Robert A. Fisher

LOCAL RULE 7.1(A)(2) CERTIFICATION

I hereby certify that I conferred with counsel for the government in an attempt to resolve or narrow the issues raised by this motion and the government refused to provide the requested particulars.

/s/ Robert A. Fisher

Robert A. Fisher